

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DAVID LEE PHILLIPS,

Plaintiff,

vs.

STATE BAR OF NEVADA, et al.,

Defendants.

Case No. 2:16-cv-00412-GMN-CWH

**ORDER**

Presently before the Court is Plaintiff David Lee Phillips's Motion for the Required Joinder of the United States Department of Justice Employment Litigation Section (ECF No. 10), filed on February 29, 2016. Plaintiff moves the for entry of an order joining the United States Department of Justice Employment Litigation Section ("DOJ") as a party in this case, arguing the DOJ must be joined for the purpose of enforcing federal statutes including 42 U.S.C. §§ 1983 and 2000e. A response was not filed.<sup>1</sup>

Plaintiff provides a lengthy factual background regarding the underlying dispute, which is supported by a declaration of counsel. Plaintiff also paraphrases a portion of Federal Rule of Civil Procedure 19. Plaintiff does not, however, provide any legal authority demonstrating that the DOJ must be joined as a plaintiff under Rule 19 under the circumstances of this case. Local Rule 7-2 requires all motions to be supported by points and authorities and provides that the "failure of a moving party to file points and authorities in support of the motion shall constitute a consent to the denial of the motion." Given that the Plaintiff does not provide the Court with points and

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<sup>1</sup> Plaintiff has not filed proof of service of the amended complaint as to the Defendants in this case, and the Defendants have not appeared in this case. The certificate of service attached to the motion indicates that a copy was mailed to the Department of Justice, Employment Litigation Section, but the DOJ is not a party in this case and has not appeared in this case.

1 authorities that are adequate for the Court to evaluate his motion, the Court will deny Plaintiff's  
2 motion without prejudice.

3 IT IS SO ORDERED.

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5 DATED: March 21, 2016.

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8 **C.W. Hoffman, Jr.**  
9 **United States Magistrate Judge**  
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